

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

RODNEY WILLIAMSON,

Plaintiff,

v.

ADW LAFAVE, *et al.*,

Defendants.

Case No. 23-12154

Honorable David M. Lawson

Magistrate Judge Elizabeth A. Stafford

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**ORDER GRANTING PLAINTIFF'S MOTION  
FOR CLARIFICATION AS TO RETALIATION CLAIM AGAINST  
DEFENDANT SIMMONS (ECF NO. 44) AND DIRECTING SERVICE OF  
AMENDED COMPLAINT ON SIMMONS**

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Plaintiff Rodney Williamson, a prisoner proceeding pro se, filed this action suing several Michigan Department of Corrections officials under 42 U.S.C. § 1983, including Defendant Inspector Simmons.

The Honorable David M. Lawson dismissed the First Amendment retaliation claim against Simmons upon screening the case under 28 U.S.C. § 1915(e)(2)(B). ECF No. 9, PageID.80. Judge Lawson then referred the matter to the undersigned for all pretrial matters under 28 U.S.C. § 636(b)(1). ECF No. 18.

This Court granted Williamson's motion for leave to amend, concluding that his proposed amended complaint (ECF No. 20) states a plausible retaliation claim against Simmons. ECF No. 37, PageID.416. The Court accepted ECF No. 20 "as the operative complaint as to the retaliation claims." *Id.*

That same day, this Court issued a Report and Recommendation (R&R) recommending that a dispositive motion filed by several defendants (but not Simmons) be granted. ECF No. 38. In that R&R, the Court listed Williamson's remaining claims, but did not list his retaliation claim against Simmons. ECF No. 38, PageID.434-435. Simmons, who has not been served, is shown as terminated on the docket.

On August 12, 2025, Williamson filed a motion titled, "Judicial Notice," noting the Court allowed him to amend his complaint to assert a retaliation claim against Simmons and asking the Court to clarify the status of his claim against Simmons. ECF No. 44, PageID.480.

The Court **GRANTS** the relief requested, **CLARIFIES** that Williamson has a retaliation claim against Simmons, and **DIRECTS** the Clerk to reinstate Simmons as a defendant on the docket. The Court **FURTHER DIRECTS** the U.S. Marshal to serve the Amended Complaint (ECF No. 20) on Simmons.

s/Elizabeth A. Stafford  
ELIZABETH A. STAFFORD  
United States Magistrate Judge

Dated: August 18, 2025

### **NOTICE TO PARTIES ABOUT OBJECTIONS**

Within 14 days of being served with this order, any party may file objections with the assigned district judge. Fed. R. Civ. P. 72(a). The district judge may sustain an objection only if the order is clearly erroneous or contrary to law. 28 U.S.C. § 636. **“When an objection is filed to a magistrate judge’s ruling on a non-dispositive motion, the ruling remains in full force and effect unless and until it is stayed by the magistrate judge or a district judge.”** E.D. Mich. LR 72.2.

### **CERTIFICATE OF SERVICE**

The undersigned certifies that this document was served on counsel of record and any unrepresented parties via the Court’s ECF System to their email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on August 18, 2025.

s/Davon Allen  
DAVON ALLEN  
Case Manager